

DARLINGTON BOROUGH COUNCIL

PLANNING APPLICATIONS COMMITTEE

COMMITTEE DATE: 8 April 2015

Page

APPLICATION REF. NO:	14/01251/FUL
STATUTORY DECISION DATE:	30 April 2015
WARD/PARISH:	PARK WEST
LOCATION:	Darlington Rugby Football Club Grange Road DARLINGTON
DESCRIPTION:	Remodelling works and formation of additional facilities to accommodate shared use with Darlington Football Club (Phase 1) (amended plans received 17 March 2015; additional information received 17 February 2015 and 6 March 2015)
APPLICANT:	Darlington RUFC with Darlington 1883 FC

APPLICATION AND SITE DESCRIPTION

The application site is the currently the home of Darlington Rugby Football Club and it is accessed off Grange Road. The site consists of the Club house, playing pitches and associated car parking areas. The site is immediately bound by South Park/miniature golf course and the River Skerne to the north and east; the A66 (T) to the south; and fields owned by Darlington Borough Council and Grange Road to the west and north west. There are residential properties further to the east beyond the open spaces and the River. The site is enclosed by established hedges and mature trees. The topography of the site is level to gently undulating.

There are some trees around the edge of the site that are covered by a Tree Preservation Order dated 1951 and Public Footpath No 45 runs through the site in a north – south direction.

The proposal involves improvements to the site to enable Darlington 1883 Football Club to move from its current location in Bishop Auckland and to ground share the site with the Rugby Football Club for the 2015 – 2016 season onwards. The initial improvements are based on the Football Association ground requirements set out in its National Ground Grading system and Category C standard is the minimum requirement ahead of a phased programme to achieve Category B then Category A requirements. The initial phase is focused on the upgrading of the facilities related to the existing clubhouse and First Team Rugby pitch to facilitate its shared use and the improvements involve:

- Upgrading the existing clubhouse and an extension to provide additional dedicated changing room facilities for both Home and Away football teams and related match officials;
- A new entrance porch to the clubhouse to serve the existing lounge bar designed to provide independent/alternative access to Rugby Club facilities particularly on Darlington 1883 FC match days;
- Upgrading the First Team rugby pitch to facilitate its shared use by both clubs along with associated means of enclosures, dug outs turnstiles and perimeter close boarded fencing;
- Associated creation of additional car parking facilities for approximately 500 cars on approximately 3.6 acres of agricultural grazing land owned by the Council to the north west of the existing site. Phase 1 of the proposal would provide 250 spaces with a fenced enclosure to accommodate a further 250 spaces should they be required in the future;
- The upgrading of the vehicular access to the junction with Grange Road;
- Stadia within a minimum initial operational capacity of 2,500 spectators with the potential to increase to 3000 in the future if required. Due to the position of a raw water main that runs diagonally across the playing pitch the proposal has been amended to relocate the position of the new covered seated stand (approx. 250 seats) on the south boundary of the pitch. This stand has been redesigned to remove a central standing area so it is seating only. The second covered seating stand (approx. 800 standing spectators) has been relocated to the east boundary of the pitch utilising salvaged portal frames from the “Tin Shed” stand from the former Feethams football ground. The club house has a covered seating area for some 120 spectators and the remaining spectators would stand on existing upgraded concrete paviour footpaths around the pitch.
- Upgrading and repositioning of existing floodlights;
- Spectator toilet facilities in the form of portakabins located to the east and west of the club house
- An area to the west of the changing rooms would be enclosed to provide a storage facility for machinery and other grounds maintenance equipment.

PLANNING HISTORY

The application site has a detailed planning history related to its existing use as a Rugby Club.

PLANNING POLICY BACKGROUND

The relevant national and local planning policies are:

National Planning Policy Framework 2012

Borough of Darlington Local Plan 1997

E2 – Development Limits

E3 – Protection of Open Land

E12 – Trees and Development

E13 – Tree Preservation Orders

E14 – Landscaping of Development

Darlington Core Strategy Development Plan Document 2011

CS1 – Darlington’s Sub Regional Role and Locational Strategy

CS2 – Achieving High Quality Sustainable Design

CS14 – Promoting Local Character and Distinctiveness

CS15 – Protecting and Enhancing Biodiversity and Geodiversity

CS16 – Protecting Environmental Resources, Human Health and Safety
CS18 – Promoting Quality, Accessible Sport and Recreation Facilities
CS19 – Improving Transport Infrastructure and Creating a Sustainable Transport Network

RESULTS OF CONSULTATION AND PUBLICITY

The Local Planning Authority issued 121 letters of consultation with local residents, placed seven site notices in the locality and an advert in the Darlington and Stockton Times.

One letter of objection has been received making the following comments:

- *Shared facilities? As a football pitch already exists, does this just mean for training purposes? We suspect that your note implies that Blackwell Meadows will become Darlington Football Club's premier ground. Then why not say so clearly?*
- *Not too long ago Blackwell Meadows was a peaceful area lying on the outskirts of town and served a very useful agricultural purpose. It bordered the last remaining final entry into the town of reasonably attractive appearance. Then it was turned into a rugby ground with attendant bars, social facilities, offices and car parks. This was the thin end of the wedge. Now it will become a football club with some associated disgusting behaviour of followers, such as happened at Salford a few weeks ago and presumably not yet legally resolved.*
- *Vehicle parking will result along the sides of roads in the local vicinity, such as happened previously alongside the A66 near the Reynolds Stadium and this despite a car park being provided. Most vehicles in these local areas already flout the speeding laws and you can imagine accidents between local vehicles and those from other areas. You can also expect accidents to supporters crossing local roads.*
- *Normal local residents would be mad to welcome football ground near them with all the attendant problems as outlined and especially in this, the highest Council Tax rated area.*
- *In one item there is talk of relaxing a covenant to allow this development to go ahead. The whole point of a covenant is to prevent change to an agreement taking place. So let us get back to the football ground at "Reynolds Arena" which was specifically set up for them*

One letter of representation has been received making the following comments

- *I do not object to this planning application so long as a better traffic control is introduced along Grange Road with the junction of Parkside. Traffic is horrendous at the best of times trying to exit from Park side onto Grange Road as it is and when there is match days, this will become more of a problem. Why we have a mini roundabout on the junction of Lakeside and Parkside is beyond me. I think Council workers placed it in the wrong location and it should have been at the junction where I have mentioned. Also does this mean that residents are going to become permit holders to park on their fronts as did the residents of Neasham Road and surrounding streets when the last football stadium was built? If traffic controls are not put in place then I do object*

A second consultation exercise has begun in relation to the amended plans requesting the submission of any further comments by 1 April 2015. Any comments that are received will be reported verbally at the Planning Applications Committee.

Consultee Responses

The Council's Countryside Access Officer has raised no objections to the proposal.

The Council's Ecology Officer considers that the Habitat Survey is acceptable and raises no objections to the proposal

The Council's Highways Engineer has raised no objections subject to the imposition of appropriate conditions relating to the construction and details of the car park, a Construction Management Plan, and details car park lighting.

The Council's Environmental Health Officer has raised no objections subject to the imposition of appropriate conditions relating to a Construction Management Plan, lighting and contaminated land. The Council's Transport Policy Officer has raised no objections subject to a planning condition being imposed to secure the submission of a Travel Plan

The Council's Senior Arboricultural Officer has raised no objections to the proposal subject to appropriate planning conditions for replacement tree planting and an Arboricultural Impact Assessment

The Highways Agency has raised no objections to the proposed development

Sport England has raised no objections to the proposal subject to the imposition of a planning condition relating to the Pitch Use plan

The Durham Constabulary Architectural Liaison Officer has raised no objections to the proposal but he has made some suggestions over the boundary fencing and the potential need to divert the Public Right of Way

Following the submission of the revised plans Northumbrian Water withdrew their original concerns and no longer object to the scheme.

The Environment Agency has raised no objections to the proposal subject to a condition that the scheme is carried out in accordance with the submitted Flood Risk Assessment.

PLANNING ISSUES

The main issues to be considered here are whether the proposal is acceptable in the following terms:

Planning Policy

Parking and Highway Safety

Impact on Existing Playing Fields

Impact upon the Visual Appearance and Character of the Area

Amenity

Flood Risk and Drainage

Ecology

Public Right of Way

Designing out Crime

Trees

Contaminated Land

Planning Policy

The site lies within the development limits for the urban area as identified by the Proposals Map of the Borough of Darlington Local Plan 1997. The general principle of the proposal would therefore accord with the requirements of Saved Policy E2 of the Borough of Darlington Local Plan 1997 and CS2 of the Darlington Core Strategy Development Plan 2011.

The site is also identified as being part of the Open Land Network within the Borough. The proposal would result in the loss of land designated as "open land" due to the creation of the proposed car park, the changing room extension and the stadia but the usefulness, appearance and nature conservation interest of the site and the overall open land network within the Borough and its interconnections would be maintained.

Policy CS18 of the Core Strategy states that the Borough's sports facilities will be protected and where appropriate enhanced to provide a range of quality, accessible and safe facilities to meet the needs of the community. Playing pitches of appropriate quantity and quality will be provided and maintained at Strategic "Hub" sites such as Blackwell Meadows. The existing site is an important sporting hub in the borough as identified in the recent Darlington Borough Council

Playing Pitch Strategy and the proposal will add value to the hub whilst securing the return of Darlington 1883 FC to the Borough without comprising the community use of the existing football and rugby pitches. The proposal has been developed to be consistent with the FA National Ground Grading System.

The redevelopment of the site to enable Darlington 1883 Football Club to ground share the site with the Rugby Football Club is considered acceptable in general planning policy terms.

Impact on Existing Playing Fields

Sport England has worked closely with Darlington Borough Council on the development of the Borough's Playing Pitch and Built Facilities Strategies (PPS) in 2009. The former document sought the identification of a second sports pitch Hub site in Darlington (after Eastbourne) in order to develop a range of qualitative and operational improvements lacking from Darlington's hierarchy of pitch provision. Blackwell Meadows was subsequently identified as the second Hub site and has since been developed to expand the number of pitches there with the creation of new playing field area to the east, as well as the site becoming a multi-sport facility (football and rugby).

The reasons for seeking to establish a second pitch sports hub site (shared costs, mutually beneficial management and maintenance arrangements, and synergy in investment and development) are directly applicable to the proposed ground share arrangement between Darlington RFC and Darlington 1883 FC.

As such, Sport England is broadly supportive of the principle of Blackwell Meadows being developed and utilised by both clubs and consider the proposed development would be ancillary to the principal use of the playing field and would not affect the quantity/quality of pitches. It is considered that the individual elements of the of the proposed works would not conflict with playing field policy.

Cumulatively however the works are required to allow the ground to meet football ground grading rules set by the Evostick League, to allow its use by Darlington Football Club. Additional rules set by that league at present appear to prejudice the simultaneous use of 3 adjacent rugby pitches. As such therefore the achievement of a football ground to Evostick League standards potentially adversely affects the remainder of the playing field area.

To overcome this a Pitch Use Statement has been submitted which states that Darlington RFC will ensure that their 1st XV home games are played on alternate weekends to the Darlington 1883 FC matches and when the football fixture lists are publicised Darlington RFC will schedule all such matches, including the 2nd and 3rd XV matches so they do not clash with football matches. If this cannot be met, for example due to Cup matches and RFU stipulations, Darlington RFC will seek to amend kick off times to avoid clashes with 3pm Darlington 1883 FC kick off times. These would be moved to a 1pm start to avoid overlap and/or clashes with the traditional 3pm kick off times for football. In the event that this cannot be achieved, Darlington RFC matches will be played on the multi purpose playing field facility to the east of the main playing pitch. Darlington 1883 FC will continue to play their midweek fixtures on Wednesday evenings to avoid clashes with Darlington RFC's traditional training nights of Tuesdays and Thursdays.

Sport England has raised no objections to the proposed ground sharing scheme or the Pitch Use Statement subject to a condition that the Statement is brought into effect upon the commencement of the ground share.

Parking and Highway Safety

The existing car park at the site comprises 120 standard parking spaces; 5 disabled parking spaces; 4 coach bays and capacity for an additional 36 temporary spaces which could be created by overlaying the grassed areas with a protective fibre mesh. The car park is currently let to a number of town centre companies as a park and ride facility from Monday to Friday during working hours and this usage occupies up to 60 available spaces. Average usage recorded by the Rugby Club shows that for the First Team match days the existing car parking provision is substantially more than adequate for 40 plus cars with a peak maximum of 60 spaces occupied. However, on Sunday training/match days when the site is used by a range of different age rugby and football teams, demand for spaces is just in excess of 200. In these circumstances, the 36 temporary spaces are activated.

Proposed match day parking will be supervised by Car Park Stewards via a One Way circulation pattern routed through the existing access drive and car park, exiting via the new parking area. It is anticipated that cars leaving the site will follow a similar One Way routing system with potential left turn only from the main entrance junction onto Grange Road, utilising the adjacent Blands Corner roundabout as a change of direction for routes back into the town centre.

On future match days (Saturday afternoon and Wednesday evenings) the existing park and ride spaces will not be in use for such purposes.

In terms of the provision of car parking space within the site the Tees Valley Design Guidance would indicate that a maximum of 366 spaces, plus 20 disabled bays would be required to cater for the 2500 spectators anticipated as Phase 1 of the redevelopment process. As there are already 120 parking spaces on site, an additional 266 spaces would need to be provided to cater for spectator need to accord with the design guidance. Staff and player parking would be additional to this total.

To enable the need for parking space to be analysed further the Football Club has carried out a survey of their fans to gain feedback on their preferred methods of transport to Blackwell Meadows. Whilst there would be a small shortfall of spaces when assessed against the Tees Valley guidelines, the findings of the fans Travel Survey and historical parking data from when the Football club operated from The Arena indicate that 250 spaces proposed would be adequate to meet the number of spectators anticipated at this phase 1 stage. An appropriate Travel Plan would also be put in place and implemented to the satisfaction of the Council in order to promote alternative means of transport and access to the site. The Travel Plan would be secured by a planning condition.

The precise details of the car parking areas (Phases 1 and 2), including the construction methods, the ground cover (planings, grasscrete or bituminous sealed finish), lighting, disabled bays, cycle parking, motorcycle parking and drainage would need to be secured by the imposition of appropriate planning conditions.

Traffic Regulation Orders would need to be implemented as part of the Phase 1 development scheme to help avoid the risk of problems and potential safety issues caused by parking along the highway and this would take the form of:-

- Double yellow lines along Grange Road
- Double yellow lines on Carmel Road South near to the A66(T) roundabout;
- Double yellow lines on Croft Road extending from Blands Corner Roundabout
- Double yellow lines on Snipe Lane extending from Blands Corner Roundabout

It is envisaged that funding for these works will be secured through a section 106 agreement and further information will be provided at the meeting.

Due to the increased pedestrian traffic that will be created by the development, the existing bus stops on Grange Road would be upgraded and a pedestrian crossing island would also be provided on Grange Road to provide a safer crossing route. These improvements would be carried out by the Council as part of a public infrastructure improvement scheme.

The Highways Agency has raised no objections to the proposal and there would be no requirements to impose any traffic regulations on the A66 (T). The HA has advised that they will support measures proposed by the Council to manage parking and pedestrian movement and will monitor their network in case traffic control issues occur on match days. Should this be the case, the HA will require cooperation from the event providers to ensure that the operation of the Strategic Road Network is maintained.

Impact upon the Visual Appearance and Character of the Area

The application site is well screened from the A66 (T) to the south due to the existing established trees and hedgerows along this boundary. The field where the additional parking would be provided is partially visible from Grange Road (east) through limited breaks in the hedging and fencing along this boundary. There are views across the application site and the wider locale (training pitches etc.) from Lakeside and Hammond Drive to the east albeit the clubhouse is seen beyond well-established trees and hedges and the River Skerne. The site is well screened from South Park/miniature golf area to the north by established landscaping along the access road.

The proposed changing room extension and machinery store extension are single storey brick built additions and the new entrance porch would be a glazed addition to the clubhouse building. These extensions are considered to be acceptable subject to the use of appropriate materials, which can be secured by a planning condition.

The new spectator terraces and seating on the east and south boundaries of the pitch would have a maximum height of approximately 7m under a cantilevered roof.

These stands are in close proximity to the existing main clubhouse building which is the dominant building within the site. The structures would be subservient to the existing buildings and would not harm the character and appearance of the site and the wider locality when viewed against the back drop of the clubhouse and the extensive tree and hedge coverage within and around the site.

The extended car park would encroach upon an existing open field resulting in the loss of grassland which is not considered to be of high ecological value. The materials to be used for the

parking area will be either road plantings or protective fibre mesh. Views of the car park from outside the site would be limited due to the boundary hedges and the visual impact of this extended car park area would not harm the character of the site or the wider locality.

A timber rail and post fence would be erected to form the new car park boundary with the adjacent agricultural field. A timber close boarded fence would demarcate the perimeter of the ground. These forms of fencing are considered appropriate for their respective locations but the precise details would be secured by a planning condition.

It is considered that the proposed development and associated works would not harm the character or appearance of the locality upon which the application site is located.

Amenity

The residential properties to the east range between approximately 250m and 375m from the application site. There are also dwellings approximately 325m to the west (The Spinney, beyond Blackwell Grange Golf Course); 375m to the north (Upsall Drive) and 250m to the south (Snipe Lane on the opposite side of the A66 (T)). There are some commercial premises in the locality such as Blackwell Grange Hotel; Evans Halshaw car dealership and Blackwell Grange Golf Club (former Stressholme).

The main noise sources would be crowd noise from the spectators on match days. It is considered that there is significant separation distance between the main playing pitch and the residential dwellings to the east. The noise would be of limited frequency due to the matches being played once every week or fortnight and limited in duration. The site is already used for sporting purposes and so there will be a degree of crowd noise from the current activities on the site. Taking account of these factors it is considered by officers that although noise may be noticeable during matches, this would be for relatively short periods of time and of limited frequency which means it is unlikely to be significantly intrusive or have a harmful effect on the general amenity of the area.

The proposed development would not harm the outlook from the dwellings to the west due to the distance between the properties and the application site.

The proposal involves the upgrading and relocation of floodlights around the pitch and the proposed car park area will need to be floodlit. In such circumstances, it will be necessary to impose a planning condition to ensure that details of the lighting submitted to the Local Planning Authority to consider and to minimise light pollution.

In order to ensure that dust emissions are minimised during the construction phase, it is considered appropriate to ensure that this is addressed as part of the aforementioned Construction Management Plan, which would be secured by a planning condition.

Flood Risk and Drainage

According to the Environment Agency flood map, the site is located within flood zones 2 and 3 and the Flood Risk Assessment (FRA) concludes that the surface water runoff rate and volume for the site, once redeveloped, is not expected to increase. The development is not expected to increase flood risk elsewhere and is therefore considered appropriate. The FRA conclusions and recommendations include:-

- There is no increase to flood levels to properties around the area so the development footprint would not bring any properties into the flood risk area
- The stands will be of an open construction at the bottom to allow flood waters to flow and to reduce the footprint on the flood plain to ensure that flood risk is not increased elsewhere
- Surface water from the buildings should enter the combined system or the compensation pond used to the north east of the grounds
- The additional car parking spaces should be surfaced with a permeable material to allow surface water to drain through.
- Signage being placed in the car park to alert visitors of the possibility of flood risk
- A Flood Warning and Evacuation Plan is put in place

The Environment Agency has not objected to the proposal subject to the imposition of a planning condition that the development is carried out in accordance with the FRA and that the proposed stands and fences are constructed in a way that allows flood water to pass through/underneath without restriction.

A raw water main runs diagonally beneath the playing pitch. The proposed new stands have been redesigned and repositioned to ensure that they are not built over the main or its associated easement. Northumbrian Water has removed its original objection to the proposal and they will work with the applicant to ensure that the main is protected.

Ecology

The area of land where the proposed car park would be sited is neutral semi-improved grassland.

No evidence of badger, deer or voles was observed and no evidence has been found of them using the site. Great Crested Newts are present on the golf course to the north of the site within 200m in a higher diversity of surrounding habitats. The application site has very poor and highly maintained habitats with very few terrestrial features that are associated with supporting the aforementioned species. There is no direct connectivity of habitats to the sites as the boundary hedges are mainly poor with negligible ground cover and understorey for hibernation refuges. The parts of the site which are to be affected by the proposed development are considered low in potential to support protected species.

Overall, the proposed development will have a minor impact upon ecological features. A minor impact upon this site of medium value constitutes an ecological impact of "slight magnitude" and will pose a slight impact on local biodiversity and this should be offset by biodiversity enhancement associated with landscaping.

A habitat survey which supports the planning application recommends the following mitigation measures which would be secured by a planning condition:-

- That the works to create the car park and the alterations to the building should take place when newts will not be hibernating and are likely to be present at breeding ponds and considered absent from the development areas (May to September).
- A detailed method statement is produced for the mitigation area to compensate for the loss of grassland for the car park

- Hedges around the boundary of the site are protected from further grazing and poaching to allow the understorey flora to establish
- All vegetation removal or tree removal takes place outside the bird nesting season. If this is not possible if the works are carried out during this season and any nests are found to be present then these areas are to be left until the eggs have hatched and the young have fledged
- Bat and bird boxes will be included within the landscaping and native trees and shrubs used to landscape areas surrounding the site

To compensate for the loss of the grassland to create the parking area, a piece of land to the west of the clubhouse in an adjacent field containing marshy grassland with good connectivity to the surrounding landscape would be set aside as proposed mitigation. The precise details of the mitigation area will need to be secured by a planning condition and a financial contribution towards the provision of the area would be agreed via a Section 106 Agreement.

Public Right of Way

Public Right of Way No 45 runs through the site in a north south direction. The timber rail and post fence that demarcates the car parking area will incorporate a pedestrian gate where the PROW intersects the application site. The existing access gates at the northern and southern ends of the PROW would be retained, maintaining the access across the site.

Designing out Crime

The Durham Constabulary Architectural Liaison Officer has advised that the crime risk assessment for this proposal is low but he has recommended that the Public Right of Way should be diverted around the proposed car park, the boundary fencing between the car park and remaining grazing land should be a 2m high weld mesh fence and this it is important that the access road and car park are well lit. The ALO has made these suggestions in the interests of reducing the opportunity for crime.

The Right of Way would not be affected by the first phase of parking and therefore there is no immediate need to divert the Right of Way especially as the boundary fence would include a gate to allow for the public to continue and use it. If in the future the land designated for the further 250 spaces is brought into use, that would be the more appropriate time to consider diverting the Right of Way or designing the parking layout to take account of the footpath.

Whilst the precise details of the boundary treatment will be secured by a planning condition, it is likely to be a timber and rail fence, which is more visually appropriate for this location. There will be a lighting scheme for the access road and car park, which together with the usage of wardens should provide a secure and safe car parking area.

Trees

There are individual trees and tree groups that are covered by a tree preservation order dated 1952. The individual trees are mainly contained within a field boundary on the periphery to the site to the north of the clubhouse and the tree groups are on the boundary with Grange Road. There are other trees and hedges that run alongside the existing internal access road and around the parking area which are not covered by any Order.

To facilitate the creation of the car park and the associated link a total of six trees would be felled and a limited section of two hedges would be removed. A further ten trees would be pruned to give clearance to lighting columns.

A Horse Chestnut (T20) and an Oak tree (T39) to be felled and an Ash tree (T41) to be pruned are covered by the preservation order. The remaining trees and hedges are not protected by any Order.

The Horse Chestnut is identified as being in poor form, shape and condition with low amenity value and the Oak tree is dead. The Ash tree that requires pruning is located on the field boundary on the periphery of the site and is considered to be in poor condition and form and needs to be crown reduce and reshaped.

The sub base footings for the link road between the two parking areas will encroach on the root protection area of a tree and the foundations of the changing room extension directly abuts the root protection areas of a further tree and a hedge. None of these trees or hedges are protected but nevertheless it is considered that the proposed layout is achievable without causing significant adverse impact and to allow for the trees and hedge to be retained by the erection of protective fencing and appropriate construction techniques.

There are some mature trees and hedges (which are not covered by any preservation orders) on the east boundary of the application site, which were not affected by the original proposal. Following the repositioning of one of the spectator stands to the eastern edge of the playing pitch, it is considered appropriate to request an update to the submitted Tree Surveys to assess the impact that the stand may have on the trees and hedges on this boundary. However it is considered that any trees affected would not be worthy of preservation.

It is considered appropriate to impose a planning condition to secure the submission of an Arboricultural Method Statement which would include details of tree protection measures; anti-compaction measures; specific locations of services trenches and construction methods for site access routes and drainage ditches close to or within root protection areas of retained trees.

To compensate for the loss of the trees covered by the 1951 Order, it is appropriate to impose a planning condition to secure some replacement planting of an appropriate species in an agreed location.

Contaminated Land

The Ground Investigation Report does not show any made ground present at any of the test areas. However, historic maps show a drain running just to the north of the existing clubhouse building, which is in the vicinity of the proposed changing room extension. It is recommended that the developer carries out a watching brief when carrying out the excavations for the new building and if any suspect material or material of an organic nature is found that could possibly produce landfill gas, it would need to be reported to the Local Planning Authority and then dealt with accordingly. A planning condition can be imposed to deal with this matter.

The Environment Agency considers that the controlled waters at this site are of low environmental sensitivity and have therefore made no comments with regards to contaminated issues.

However, if road planings or any other materials which could leach significant contamination to ground waters are used to create the car park areas, a scheme and methodology to assess the risk to ground/surface water would need to be submitted to the Local Planning Authority for consideration and this would be secured by a planning condition.

SECTION 17 OF THE CRIME AND DISORDER ACT 1998

The contents of this report have been considered in the context of the requirements placed on the Council by Section 17 of the Crime and Disorder Act 1998, namely the duty on the Council to exercise its functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area. It is not considered that the contents of this report have any such effect.

CONCLUSION

The application site lies within development limits identified in the development plan. The revised design and layout of the development is considered to be satisfactory and it would respect the amenity and general character of the area. The application is not considered to raise any issues in relation to car parking provision, highway safety or crime prevention. The proposed development is considered to be acceptable subject to the imposition of appropriate planning conditions and a Section 106 Agreement to secure commuted sums for Traffic Regulation Orders and an off site ecological mitigation area.

RECOMMENDATION

THE DIRECTOR OF ECONOMIC GROWTH BE AUTHORISED TO NEGOTIATE AN AGREEMENT UNDER SECTION 106 OF THE TOWN AND COUNTRY PLANNING ACT 1990 TO SECURE THE FOLLOWING

- A commuted sum for Traffic Regulation Orders
- A commuted sum for an ecological mitigation site

THAT UPON SATISFACTORY COMPLETION AND SIGNING OF THE AGREEMENT, PLANNING PERMISSION BE GRANTED SUBJECT TO THE FOLLOWING CONDITIONS

1. A3 –Implementation Limit (Three Years)
2. B5 – Details of Materials (Samples)
3. The development shall not be carried out otherwise than in complete accordance with the approved Pitch Use Statement (ref no: A1319/MRC) dated 5 March 2015 unless otherwise agreed in writing by the Local Planning Authority. The approved Statement shall be brought into effect upon the commencement of the ground share.
REASON: To ensure that the development of rugby is not prejudiced by the development
4. In the event that suspected contaminated material is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority. Subsequently, an investigation and risk assessment must be undertaken by a suitably experienced and qualified person, in accordance with best practice guidance, the details of which are to be agreed in writing with the Local Planning Authority. Where remediation is shown to be necessary a remediation scheme must be

prepared and submitted to the Local Planning Authority for approval in writing. Following completion of measures identified in the approved remediation scheme, a verification report must be prepared to show that the remediation has been undertaken to a satisfactory standard, which is subject to the approval in writing by the Local Planning Authority.

REASON: To ensure that the development proposed can be implemented with adequate regard for environmental and public safety

5. Prior to the commencement of the development, the approved Arboricultural Impact Assessment shall be updated to consider the erection of the spectator stand on the eastern boundary of the playing pitch. The Assessment shall include details of any necessary tree works to facilitate the development and the development shall not be carried out otherwise in complete accordance with the approved details.
REASON: To ensure that the development proposed can be implemented with adequate regard to the trees on the site.
6. Prior to the commencement of the development, an Arboricultural Method Statement shall be submitted to and agreed in writing by the Local Planning Authority. The Statement shall include details of tree protection measures; anti-compaction measures; specific locations of services trenches and construction methods for site access routes and drainage ditches close to or within root protection areas of retained trees. The development shall not be carried out otherwise than in complete accordance with the approved details.
REASON: To enable the Local Planning Authority to ensure the retention of the maximum number of trees on the site in the interests of the visual amenity of the site.
7. The development shall not be carried out otherwise than in complete accordance with the recommendations contained within "Grassland Habitat Survey at Darlington RFC, Blackwell Meadows, Grange Road, Darlington, County Durham, DL1 5NR" produced by Innovation Group Environmental Services dated 29th January 2015 unless otherwise agreed in writing by the Local Planning Authority
REASON: To conserve and enhance the ecological interest of the site and the surrounding area
8. Prior to the commencement of the use, precise details of biodiversity mitigation area shall be submitted to and approved in writing by the Local Planning Authority. The mitigation area shall not be carried out otherwise than in complete accordance with the approved details
REASON: To compensate for the loss of ecology and habitat due to the creation of the car park area.
9. Notwithstanding the details shown on the approved plans, precise details of the boundary fencing to the north of the approved car parking area and around the perimeter of the ground shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The details shall include the height, design and location of the fence along with details of a gated access for Darlington Public Footpath No 45. The development shall not be carried out otherwise than in complete accordance with the approved details.
REASON: In the interests of the visual appearance of the locality and to ensure that the Darlington Public Footpath No 45 remains fully accessible for public use

10. The development shall not be carried out otherwise than in complete accordance with recommendations contained within “Proposed Update to Rugby Club premises, Blackwell Meadows, Darlington. Flood Risk Assessment. Ref No: PC: 615NE” produced by P Constantine and dated 16 December 2014 and the following mitigation measures detailed within the Assessment
- a) The proposed stands and fences are to be constructed in such a way as to allow flood water to pass through/underneath without restriction as stated in section 7 of the approved Flood Risk Assessment thus not impacting on the flood zones and increasing flood risk

The mitigation measures shall be fully implemented prior to the occupation and subsequently in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed in writing by the Local Planning Authority.

11. REASON: To reduce the risk of flooding to the proposed development and future occupants
12. Prior to the commencement of the development, precise details of the car park specification for the Phase 1 car park area shall be submitted to and approved in writing by the Local Planning Authority. The construction details shall include details of the surface finish and associated drainage. The development shall not be carried out otherwise than in complete accordance with the approved details and the details shall be fully implemented prior to the commencement of the approved use
REASON: In the interest of ensuring satisfactory in curtilage parking is provided in the interests of highway safety
13. Prior to the commencement of the Phase 2 car parking area, precise details of the car park specification for the car park area shall be submitted to and approved in writing by the Local Planning Authority. The construction details shall include details of the surface finish and associated drainage. The development shall not be carried out otherwise than in complete accordance with the approved details and the details shall be fully implemented prior to the commencement of the approved use
REASON: In the interest of ensuring satisfactory in curtilage parking is provided in the interests of highway safety
14. In the event that road planings, or any other materials which could leach significant contamination to ground waters or surface waters, are used as part of the approved development, the respective phase of car park hereby permitted shall not commence until a scheme and methodology to assess the risks to ground/surface waters from potential contamination/leachate from the said materials, compiled by a suitably experienced and qualified person/environmental consultancy, has been submitted to and agreed in writing by the Local Planning Authority. Thereafter, prior to importation of any such material on to the site, a risk assessment which follows the agreed methodology shall be undertaken by a suitably experienced and qualified person/consultancy. Thereafter, the results of the risk assessment shall be submitted to the Local Planning Authority and the material being considered shall only be imported onto the site once the Local Planning Authority has provided written acceptance of the contents and conclusions of the risk assessment. Prior

to importation of the relevant material onto the site, the applicant shall submit evidence to show that the material to be imported onto the site is the same material which was the subject of the submitted risk assessment.

REASON: To ensure that the development proposed can be implemented with adequate regard for environmental and public safety

15. Prior to the commencement of the development, precise details of disabled parking, motorcycle parking and secure cycle parking and storage details shall be submitted and approved in writing by the Local Planning Authority. The details shall include the number, location and design of the cycle stands and the development shall not be carried out otherwise than in complete accordance with the approved details and they shall be fully implemented prior to the commencement of the use

REASON: To encourage the use of sustainable modes of transports in the interests of highway safety and general amenity

16. Prior to the ground share arrangements being brought into operation, the Phase 1 car parking area for 250 spaces shall be constructed and made available for use.

REASON: In order to make satisfactory provision for car parking.

17. Prior to the commencement of the development, a Construction Management Plan shall be submitted and approved in writing by the Local Planning Authority. The Plan shall include details for wheel washing, a dust action plan, the proposed hours of deliveries, construction, vehicle routes, road maintenance, and signage. The development shall not be carried out otherwise than in complete accordance with the approved details.

REASON: In the interests of highway safety and the general amenity of the locality

18. Prior to the commencement of the development, an appropriate street lighting scheme to cover the car park and access road shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out otherwise than in complete accordance with the approved details and they shall be fully implemented prior to the commencement of the use

REASON: In the interests of pedestrian and highway safety

19. Notwithstanding the requirements of condition 18 and prior to the commencement of the development hereby approved a lighting impact assessment for all external lighting, including floodlights, shall be submitted to and agreed in writing by the Local Planning Authority. The assessment must show that the lighting levels are limited to those specified in Environmental Zone E2 in Table 2 of the Institution of Lighting Professionals Guidance Notes for the reduction of Obtrusive Light. The development shall not be carried out otherwise than in accordance with the approved details.

REASON - In the interests of the general amenity of the locality.

20. Prior to the construction of new floodlights, details of the design, number and location of floodlights shall be submitted to and agreed in writing with the Local Planning Authority.

REASON: In the interests of visual amenity.

21. Prior to the commencement of the use, a scheme for the planting of replacement trees shall be submitted to and approved in writing by the Local Planning Authority. The replacement trees shall be planted within a timescale to be agreed by the Local Planning

Authority and the development shall not be carried out otherwise than in complete accordance with the approved details.

REASON: To ensure a satisfactory appearance of the site in the interests of the visual amenity of the locality

22. Prior to the commencement of the use, a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out otherwise than in complete accordance with the approved Plan

REASON: To promote sustainable modes of transport in the interests of highway safety

23. B5 – Detailed Drawings (Accordance with Plan)

THE FOLLOWING POLICIES AND DOCUMENTS WERE TAKEN INTO ACCOUNT WHEN ARRIVING AT THIS DECISION:

National Planning Policy 2012

Borough of Darlington Local Plan 1997

E2 – Development Limits

E3 – Protection of Open Land

E12 – Trees and Development

E13 – Tree Preservation Orders

E14 – Landscaping of Development

Darlington Core Strategy Development Plan Document 2011

CS1 – Darlington’s Sub Regional Role and Locational Strategy

CS2 – Achieving High Quality Sustainable Design

CS14 – Promoting Local Character and Distinctiveness

CS15 – Protecting and Enhancing Biodiversity and Geodiversity

CS16 – Protecting Environmental Resources, Human Health and Safety

CS18 – Promoting Quality, Accessible Sport and Recreation Facilities

CS19 – Improving Transport Infrastructure and Creating a Sustainable Transport Network

INFORMATIVE TO BE INCLUDED SHOULD PLANNING PERMISSION BE GRANTED

Highways

The applicant is advised that contact be made with the Assistant Director: Highways, Design and Projects (contact Ms. P. Goodwill 01325 406651) to discuss naming and numbering of the development.

The applicant is advised that new traffic regulation orders will be required to implement parking restrictions on Grange Road and contact must be made with the Assistant Director : Highways, Design and Projects (contact Mrs. Brenda Bowles 01325 406708) to discuss this matter

The applicant is advised that contact be made with the Assistant Director: Highways, Design and Projects (contact Mr M. Clarkson 01325 406652) to discuss the street lighting scheme for the car park and access road.